

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

In re CASSAVA SCIENCES INC.
SECURITIES LITIGATION

§
§
§
§
§

No. 1:21-cv-00751-DAE

ORDER

On August 1, 2024, this Court held a hearing on a motion to stay merits discovery. Based on the arguments made at the hearing and in the filings, the Court finds it appropriate to stay merits discovery for one month. At that time, Defendants may re-raise the motion to stay of merits discovery.

At the hearing, this Court was apprised of several pending discovery disputes. In order to streamline this complex litigation, the Court suggested to the parties that it appoint a discovery master to handle these disputes. Considering the ongoing federal investigations into Defendants' activities, the Court believes that a discovery master would be beneficial to this case. With the parties' consent, the Court shall now appoint a discovery master.

Under 28 U.S.C. § 636(b)(2), a judge may designate a magistrate judge to serve as a special master for the United States district courts. A judge may designate a magistrate judge to serve as a special master in any civil case, upon consent of the parties, without regard to the provisions of rule 53(b) of the Federal Rules of Civil Procedure for the United States district courts.

To the extent any discovery disputes arise between and among the parties in this litigation, and pursuant to 28 U.S.C. §§ 636, the Court designates the Magistrate Judge Henry J.

Bemporad as the Discovery Master. Discovery matters in this lawsuit shall be referred to Magistrate Judge Bemporad for purposes of determining any such matters.

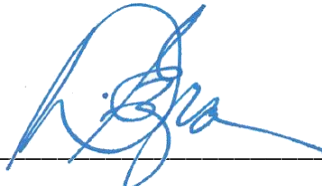
The Court recognizes that there are still outstanding discovery disputes that were not resolved at the hearing on August 1, 2024. Therefore, the Court advises the parties to confer with Magistrate Judge Bemporad to review the following disputes:

1. Whether Defendants must produce witnesses for a second time if they later produce SEC deposition transcripts or documents ultimately compelled by the Court under Plaintiffs' April 12, 2024 motion to compel Defendants' presentations to the SEC and DOJ withheld as "privileged."
2. Document production that is not yet complete.
3. Interrogatories served on December 13, 2023 and February 7, 2024 that have not been responded to.
4. Any other pending discovery disputes that have arisen during the interim period.

Therefore, it is currently ordered that merits discovery will be stayed for one month, ending on September 5. At that time, Defendant may re-raise its motion to stay merits discovery. The Court also appoints Magistrate Judge Bemporad to serve as the discovery master who will handle the discovery disputes listed above and those that arise during this litigation. The Court advises the parties to promptly confer and seek guidance from Magistrate Judge Bemporad.

IT IS SO ORDERED.

DATED: Austin, Texas, August 5, 2024



David Alan Ezra
Senior United States District Judge